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FOR MANAGEMENT AND HR OFFICERS AND ALL AGENCY HEADS

E.O. 12958: N/A
TAGS: AFSN, AMGT, AFIN, KICA
SUBJECT: LE Staff: Compensatory Time for Official Travel

REF: 04/24/06 M Approval Memorandum

STATE 00075136 001.2 OF 002

From HR/OE/CM

1. The Department authorizes Missions to provide Locally Employed (LE) Staff with compensatory time earned for official travel time that is not otherwise compensable hours of duty. Implementation is discretionary on the part of each Mission. The Local Compensation Plan (LCP) must be revised before the benefit is provided.
2. Post management and the ICASS Council should reach agreement on whether or not to add this new benefit to the LCP. Each Mission should take into account pertinent factors including local customs and labor laws; the impact on staffing when employees use the earned compensatory time; budget impact, e.g., if other employees will have to work overtime to cover for employees using their earned compensatory time; and the desire of participating agencies to provide this benefit.
3. The USG is a single employer abroad and there is a single Local Compensation Plan for each post covering all USG agencies under COM authority. Therefore, all LE Staff paid under the post's Local Compensation Plan will be eligible for this benefit if post implements the Compensatory Time for Travel Plan. The benefit may not be implemented for LE Staff of one or more agencies, but not all.
4. This telegram constitutes authorization to implement. No additional authorization from the Department is needed. Prior to implementation, the following statement must be added to the remarks section of the Local Compensation Plan, with xx/xx/xx being post's effective date.

"Effective xx/xx/xx, employees are eligible to earn compensatory time for official travel that occurs on or after xx/xx/xx and that is not otherwise compensable hours of duty. This benefit will be provided in accordance with the plan in 06 State (add this telegram number)."

5. The effective date must be prospective. It may not be implemented retroactively. The effective date will be the beginning of a pay period that is not less than two full pay periods after the payrolling FSC receives the revised, signed LCP from post.

6. Post must not implement the benefit if any element of the plan, including the use or lose feature, is prohibited by a local law that is applicable to diplomatic missions.

7. RM/GFS Charleston and Bangkok will issue instructions on reporting this new category of compensatory time. It will be tracked and managed separately from compensatory time earned in lieu of overtime pay for compensable hours of duty.

8. Below is the authorized plan.

Compensatory Time for Official Travel for LE Staff

1. Description

Compensatory time off for official travel is earned by an employee for time spent in a travel status away from the employee's official duty station when such time is not otherwise compensable hours of duty.

Employees are encouraged to perform official travel during regular duty hours, whenever practical.

An employee who intends to submit a claim for earned compensatory time for official travel performed outside regular duty hours will not be authorized business class travel for flights over 14 hours.

2. Creditable Travel

To be creditable under this plan, travel must be officially authorized. In other words, travel must be for work purposes and must be approved by an authorized agency official or otherwise authorized under established agency policies.

For the purpose of compensatory time off for travel, time in a travel status includes-

--Time spent traveling between the official duty station and a temporary duty station (e.g., FSI);
--Time spent traveling between two temporary duty stations; and
--The usual waiting time that precedes or interrupts such travel (e.g., waiting at an airport or train station prior to departure). An employee may claim no more than 2 hours prior to flight time for domestic travel and no more than 3 hours for overseas travel. An extended waiting period, i.e., an unusually long wait during which the employee is free to rest, sleep, or otherwise use the time for his or her own purposes, is not considered time in a travel status.

3. Commuting Time

Travel outside of regular working hours between an employee's home and a temporary duty station or transportation terminal outside the limits of his or her official duty station is considered creditable travel time. However, the employee's normal home-to-work/work-to-home commuting time will be deducted from the creditable travel time.

Travel outside of regular working hours between a worksite and a transportation terminal is creditable travel time, and no commuting time offset applies.

Travel outside of regular working hours to or from a transportation terminal within the limits of the employee's official duty station is considered equivalent to commuting time and is not creditable travel time.

4. Crediting and Usage

Compensatory time for travel is credited and used in minimum increments of one-quarter of an hour (15 minutes). This category of compensatory time earned will be maintained separately from compensatory time earned for compensable hours of duty in lieu of overtime pay.

Employees must request credit for earned compensatory time for official travel in writing to their supervisor no later than 30 calendar days after the completion of the official travel.

If earned compensatory time is used in lieu of accrued annual leave, management will not approve restoration of an equal number of "use or lose" annual leave hours.

Accumulated compensatory time for travel will not be approved for use while the employee is in travel status if the government must incur additional costs, e.g., for per diem.

5. Forfeiture

The employee must follow the Mission's established procedures for requesting approval to use earned compensatory time. Compensatory time for travel is forfeited if not used within 26 pay periods after the pay period in which it was earned; upon transfer to another agency; and upon separation from the Mission.

Under no circumstances may an employee receive payment for unused compensatory time off for travel. The Department will not approve any exceptions.

(End of Plan)

9. If post implements this benefit, please notify the Department by unclassified telegram to HR/OE/CM, the regional bureau's executive office, and the payroll FSC. Include the effective date.

10. Distribute copies of the revised LCP in accordance with 3 FAM 7325.8. Please also email a copy of the complete LCP to HR/OE/CM's compensation manager for your post.

11. Contact HR/OE/CM if you have any questions about the policy. Questions about financial resources and budget should be addressed to your regional bureau or agency headquarters office.

12. Minimize Considered

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